

2/3/05

cc: BD, DI, DWQ

e-cys: BD, CC, HMS, TH, CMW

**ALLIED WASTE**

-PACIFIC REGION-

114. Allied Waste

February 17, 2005

Ms. Debbie Irvin, Clerk to the Board
 State Water Resources Control Board
 1001 I Street, 24th Floor
 P.O. Box 100
 Sacramento, California 95812-0100

Re: National Pollutant Discharge Elimination System (NPDES) General permit for
 Discharges of Storm Water Associated with Industrial Activities Draft dated
 December 15, 2004 (Draft Permit)

Dear Ms. Irvin:

This letter documents (and, in some instances, expands upon) the items I discussed during the February 3, 2005 public hearing on the subject Draft Permit. During the public hearing, I discussed three topics briefly. These were (1) the potential for creating a sediment-starved condition in receiving waters (streams), (2) financial concerns, and (3) potential adverse environmental impacts from complying with the Draft Permit. I will discuss each of these topics below:

1. Potential for Creating a Sediment-Starved Condition in Streams – Allied Waste Industries is one of the parties who signed the "Solid Waste Coalition" letter, dated February 3, 2005, submitted to you. That letter discusses, among other items, the potential for creating a sediment-starved condition in streams if industrial facilities attempt to meet the proposed 100-mg/l TSS standard in the Draft Permit. Our concern is not a theoretical, "paper study" type of concern. I have personally worked on a project to mitigate a sediment-starved condition in a stream that received discharge from a sedimentation basin that was working too well for the site-specific conditions at one of our facilities. The discharge from this sedimentation basin contains over 300 mg/l TSS, or more than 3 times the standard in the Draft Permit. Even at this level, the reduced TSS, below naturally occurring levels for the stream, resulted in the stream increasing its sediment load down-stream from our sedimentation basin, to re-establish natural levels, precisely as described in the coalition letter. The stream increased its sediment load by eroding the stream banks down-stream from the sedimentation basin. This erosion created nearly vertical walls 10 to 15 feet high along the stream.

One of our most alarming concerns with this erosion was the potential for the children of our down-stream neighbor to fall off the "cliff," and suffer resulting injuries. We mitigated this condition successfully at a cost of approximately \$1,000,000.

We did not mitigate the erosion by armoring the stream channel with riprap, or concrete. We did not replace the natural channel with an enclosed pipe, or a concrete channel either. Instead, we re-created a natural "drop-and-pool" type of channel constructed of very expensive, carefully placed, imported rocks (small boulders). At